

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL ANGELO POWELL,
Plaintiff,

v.

RICHARD L. MARLAIS, et al.,
Defendants.

Case No. 14-cv-05308-JST (PR)

SCHEDULING ORDER

Plaintiff, a state prisoner proceeding pro se, filed an amended civil rights complaint pursuant to 42 U.S.C. § 1983 against prison officials at Correctional Training Facility (“CTF”), where he is currently incarcerated. Plaintiff alleged that defendants Dr. Marlais and Dr. Calderon failed to properly treat his abscessed tooth in 2012 and 2013 and that defendant Dr. Uy failed to order proper follow-up treatment since that time. The Court found that, liberally construed, the complaint stated a cognizable Eighth Amendment claim for deliberate indifference to serious medical needs and ordered service upon defendants.

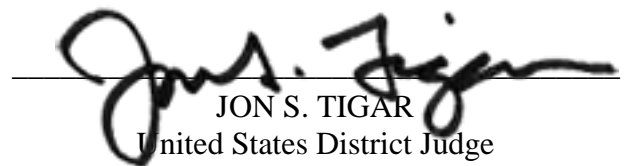
Subsequent to the Court’s order of service, the Court learned that defendant Calderon had retired and was no longer at CTF. Plaintiff was ordered to provide additional information so the United States Marshal could serve defendant Calderon. The Marshal later attempted to serve defendant Calderon at Valley State Prison for Women, where plaintiff indicated he could be located. However, this second summons on defendant Calderon was returned unexecuted. Court staff contacted CTF, and a confidential address was provided for defendant Calderon. By concurrent order, the Court will order service under seal to the confidential address.

In order to ensure adequate time for defendant Calderon to be served and for defense counsel to prepare a dispositive motion that addresses the claims against all three defendants, the

1 Court *sua sponte* extends the deadline for defendants to file a dispositive motion. Accordingly,
2 the briefing schedule for dispositive motions set out in the Court's August 4, 2015 order is
3 VACATED, and the deadline for defendants to file their dispositive motion is CONTINUED to
4 **January 8, 2016**. Plaintiff shall file any opposition to defendants' motion within **twenty-eight**
5 **(28)** days of the date the motion is filed. Defendants shall file their reply within **fourteen (14)**
6 days of the date the opposition is filed.

7 IT IS SO ORDERED.

8 Dated: October 15, 2015

9 
10 JON S. TIGAR
United States District Judge

United States District Court
Northern District of California